

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JERPAUL D. SPENCER,

Plaintiff,

Case No. 16-cv-662-pp

v.

MICHAEL VAGNINI,
JACOB KNIGHT,
MICHAEL VALUCH
and KEITH GARLAND,



Defendants.

SPECIAL VERDICT


We the jury, impaneled and sworn to try the issues in this case, being directed by the court to answer the following questions submitted to us for special verdict, answer as follows:

Plaintiff's Claims Against Michael Vagnini and Jacob Knight – June 25, 2011


1. Did Michael Vagnini violate Jerpaul Spencer's Fourth Amendment rights by seizing Mr. Spencer without reasonable suspicion?

Answer:  Yes  No

2. Did Jacob Knight violate Jerpaul Spencer's Fourth Amendment rights by seizing Mr. Spencer without reasonable suspicion?

Answer: Yes  No

3. Did Michael Vagnini violate Jerpaul Spencer's Fourth Amendment rights by using excessive force against him?

Answer:  Yes No

4. Did Jacob Knight violate Jerpaul Spencer's Fourth Amendment rights by using excessive force against him?

Answer: _____ Yes ☒ No

*If you answered "yes" to questions 3 or 4, answer questions 3(a) and 4(a).
If you answered "no" to questions 3 and 4, do not answer questions 3(a) and 4(a)
and proceed to answer question 5.*

- 3(a). Did the force used by Michael Vagnini cause any injuries to Jerpaul Spencer?

Answer: ☒ Yes _____ No

- 4(a). Did the force used by Jacob Knight cause any injuries to Jerpaul Spencer?

Answer: _____ Yes _____ No

5. Did Michael Vagnini violate Jerpaul Spencer's Fourth Amendment rights by conducting an unlawful search of Mr. Spencer?

Answer: ☒ Yes _____ No

6. Did Jacob Knight violate Jerpaul Spencer's Fourth Amendment rights by conducting an unlawful search of Mr. Spencer?

Answer: _____ Yes ☒ No

*If you answered "yes" to any of the above questions, answer question 7. If
you answered "no" to all the above questions, do not answer question 7 and
proceed to question 8.*

7. What sum of money will fairly and reasonably compensate Jerpaul Spencer for the violation of Mr. Spencer's Fourth Amendment rights?

Answer: \$175,000

Plaintiff's Claims Against Michael Vagnini – Unspecified Date in June/July
2011

8. Did Michael Vagnini violate Jerpaul Spencer's Fourth Amendment rights by seizing Mr. Spencer without reasonable suspicion?

Answer: ☒ Yes _____ No

9. Did Michael Vagnini violate Jerpaul Spencer's Fourth Amendment rights by conducting an unreasonable search of Mr. Spencer?

Answer: ✓ Yes No

If you answered "yes" to questions 8 or 9, answer question 10. If you answered "no" to questions 8 and 9, do not answer question 10 and proceed to question 11.

10. What sum of money will fairly and reasonably compensate Jerpaul Spencer for Michael Vagnini's violation of Mr. Spencer's Fourth Amendment rights?

Answer: \$ 17,500

Plaintiff's Claims Against Keith Garland and Michael Valuch – July 4, 2011

11. Did Keith Garland violate Jerpaul Spencer's Fourth Amendment rights by seizing Mr. Spencer without reasonable suspicion?

Answer: Yes ✓ No

12. Did Keith Garland violate Jerpaul Spencer's Fourth Amendment rights by falsely arresting Mr. Spencer?

Answer: Yes ✓ No

13. Did Keith Garland violate Jerpaul Spencer's Fourth Amendment rights by using excessive force against him?

Answer: Yes ✓ No

14. Did Keith Garland violate Jerpaul Spencer's Fourth Amendment rights by conducting an unreasonable search of Mr. Spencer?

Answer: Yes ✓ No

15. Did Michael Valuch violate Jerpaul Spencer's Fourth Amendment rights by seizing Mr. Spencer without reasonable suspicion?

Answer: Yes ✓ No

16. Did Michael Valuch violate Jerpaul Spencer's Fourth Amendment rights by falsely arresting Mr. Spencer?

Answer: ✓ Yes No

17. Did Michael Valuch violate Jerpaul Spencer's Fourth Amendment rights by using excessive force against him?

Answer: Yes ✓ No

18. Did Michael Valuch violate Jerpaul Spencer's Fourth Amendment rights by conducting an unreasonable search of Mr. Spencer?

Answer: Yes ✓ No

If you answered "yes" to any of questions 11-18, answer question 19. If you answered "no" to all of questions 11-18, do not answer question 19 and proceed to question 20.

19. What sum of money will fairly and reasonably compensate Jerpaul Spencer for the violations of his Fourth Amendment rights?

Answer: ④ ~~\$10,000~~ 25,000

Punitive Damages

20. If you answered "yes" to any of questions 1-19, answer the following question with regard to each defendant for whom you answered "yes": was that defendant's conduct malicious or in reckless disregard of Jerpaul Spencer's rights?

a. Michael Vagnini	Answer: <u>✓</u> Yes <u> </u> No
b. Jacob Knight	Answer: <u> </u> Yes <u>✓</u> No
c. Michael Valuch	Answer: <u>④</u> Yes <u>✓</u> No
d. Keith Garland	Answer: <u> </u> Yes <u>✓</u> No

If you answered "no" to all parts of question 20, do not answer question 21. If you answered "yes" to any part of question 20, answer question 21.

21. What amount of punitive damages, if any, will punish the defendants who acted maliciously or in reckless disregard of Jerpaul Spencer's rights and will deter them and others from engaging in similar conduct in the future?

Answer: \$ 168,500

7-15-22
Dated


Foreperson Signature

Bryan Kartsky
Foreperson Printed Name